Claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Berry et al.* in view of *Roberts et al.* With respect to the amended claims, this rejection is respectfully traversed.

Applicant's present inventive concept, as defined by the amended claims, is directed toward a system that utilizes a media that allows the playing of an audio program. Within this audio program is embedded a unique code, which in the preferred embodiment is an audible code. In response to detecting this code, the system will automatically link the user node to the destination node. This automatic linking is effected without user intervention. Therefore, the user is playing the audio program and the computer or display automatically displays the content that is received from the remote destination as a result of the linking thereof.

The *Berry et al.* reference is a reference that discloses the concept of providing a unique code that is unique to the CD. The unique code is extracted from the CD, not as a result of playing the CD, but, rather, due to the fact that the system knows where that unique code is. Of course, Applicant notes that the CD must be in the player and the player operating in order for the particular addressable location to be accessed. However, the unique code is not "embedded" within the audio program but, rather, appended to that audio program. As such, it is not a part of the audio program that one would normally be deemed as being "output" as a function of the playing of the program. There must a positive step on the part of the system to extract the unique code, as it will not be output otherwise in the normal playing of the program. Once the unique code is extracted, it is then displayed in association with related hypertext links. This is the function of comparing the retrieved code with a relational database and then accessing and displaying these hypertext links. The user then "selects" one of these links to provide the connection. First, the unique code is not detected *during* the playing of the audio program and, second, user intervention is required in order to effect the connection. As such, the *Berry et al.* reference as taken alone, does not anticipate or obviate Applicant's present inventive concept.

The *Roberts* reference, which the Examiner cited as supporting the 35 U.S.C. § 103 rejection in combination with the *Berry et al.* reference, does not cure the deficiencies noted hereinabove with respect to *Berry et al.* The *Roberts* reference does not cure the deficiencies in *Berry et al.* in that it does not disclose that the unique code is embedded within the audible program and extracted *during* the playing of the audio program. As such, neither *Roberts* nor *Berry et al.*, taken singularly or in combination, obviate or anticipate Applicant's present inventive concept, as defined by the amended claims.

In addition to the above, it is noted that two additional claims, 19 and 20, have been added to complement dependent claims 4 and 13, in which the unique code is defined as an audible code. Neither *Berry* nor *Roberts* disclose or suggest any use of an audible code; rather, each utilizes a unique "identifier" of the CD that is in accordance with normal CD markers. This, as described hereinabove, requires that there be some type of extraction routine that specifically pulls the code out of the system rather than during the audible play thereof.

Applicants have carefully reviewed the Office Action dated May 8, 2001. Applicants have amended Claims 1, 3, 10, and 12 to more clearly point out the present inventive concept. Reconsideration and favorable action is respectfully requested.

Applicants have now made an earnest attempt in order to place this case in condition for allowance. For the reasons stated above, Applicants respectfully request full allowance

of the claims as amended. Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-24,670 of HOWISON, CHAUZA, THOMA, HANDLEY & ARNOTT, L.L.P.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Jeffry Jovan Philyaw and David Kent Mathews
Serial No.:	09/378,222
Filed:	August 19, 1999
Group:	2152
Examiner:	Romero, A.
For:	METHOD AND APPARATUS FOR EMBEDDING ROUTING INFORMATION TO A REMOTE WEB SITE IN AN AUDIO/VIDEO TRACK

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE ABSTRACT OF THE DISCLOSURE

A redirect system is provided which is operable to redirect information over a network [(1610)]. This information is associated with a compressed MP3 audio file which is initially transmitted through the network from a source [(1612)] to a user PC [(1600)]. The user PC [(1600)] will then play the information and, upon playing the information, embedded information within the audio file will be detected by an application program [(1604)]. This will cause a browser [(1602)] to launch and route the embedded information to an intermediate node [(1620)]. This information will be matched with information in a database [(1624)], which information provides routing information to a producer location [(1614)]. This is transmitted back to the user PC [(1600)] which will then effect a connection with the producer [(1614)] to either view in the simple case a web page and, in the more complex case, actually transmit information from the database [(1624)] through the user PC [(1600)] to the producer [(1614)] to provide a customized communication in the form of a customized web page.

IN THE CLAIMS

1. (Amended) A method for effecting a connection between a user node on a network and a destination node on the network with an audio program, comprising the steps of:

playing at the user node the audio program having embedded therein a unique code;

detecting the unique code at the user node during the playing of the audio program at the user node;

in response to detecting the output of the unique code during playing of the audio program at the user node, causing the user node to be interconnected with the destination node without user intervention over the network such that the destination node can transmit information to the user node.

3. (Amended) A method for effecting a connection between a user node on a network and a destination node on the network with an audio program, comprising the steps of:

playing at the user node the audio program having embedded therein a unique code;

detecting the unique code at the user node during the playing of the audio program at the user node;

in response to detecting output of the unique code during playing of the audio program at the user node without user intervention, transmitting information regarding the unique code over the network to an intermediate node on the network;

matching the received information regarding the unique code with routing information stored in a database at the intermediate node, which routing information defines the location on the network of a plurality of destination nodes, the database having stored therein a correspondence between unique codes and select ones of the destination nodes; and

if there is a match between the received unique code and a unique code stored in the database, causing the destination node and the user node to be connected over the network with the corresponding routing information, such that the destination node can transmit information to the user node.

10. (Amended) A system for effecting a connection between a user node on a network and a destination node on the network with an audio program, comprising:

a unique code embedded in the audio program, the audio program playing at the user node;

a detector for detecting said unique code at the user node during play of the audio program at the user node; and

wherein said detector detects the output of said unique code during play of said audio program at the user node, causing the user node without user invention to be interconnected with the destination node over the network such that the destination node can transmit information to the user node.

12. (Amended) A system for effecting a connection between a user node on a network and a destination node on the network with an audio program, comprising:

a unique code embedded within the audio program, the audio program playing at the user node;

a detector for detecting said unique code at the user node during play of the audio program at the user node;

an intermediate node disposed on the network for receiving information regarding said unique code, said information regarding said unique code transmitted without user intervention over the network to said intermediate node in response to said detector detecting output of said unique code during play of the audio program at the user node;

routing information stored in a database at said intermediate node, such that said routing information is matched with said received information regarding said unique code, which said routing information defines a location on the network having a plurality of destination nodes, said database having stored therein a correspondence between unique codes and select ones of the destination nodes; and

if there is a match between said received unique code and a unique code stored in said database, causing the destination node and the user node to be connected over the network with the corresponding said routing information such that the destination node can transmit information to the user node.